

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JUDITH D. FRALEY,

Plaintiff,

v.

Civil Action No. 5:07-CV-141

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA
PAUPERIS**

On November 1, 2007, Judith D. Fraley, [“Claimant”], filed a complaint for review of Defendant’s denial of her application for Social Security benefits pursuant to 42 U.S.C. § 405(g) and an Application for Leave to Proceed in forma pauperis. Claimant’s application to proceed in forma pauperis reveals she is not employed. Within the past twelve months, Claimant has not received any money from business, professional or self-employment, rent payments, interest or dividends, pensions, annuities, life insurance payments, disability or workers compensation payments, gifts or inheritances. Claimant received child support in February 2007 in the amount of \$225.00, in June 2007 in the amount of \$125.00, and in September in the amount of \$75.00. Claimant states she does not have any checking or savings account but indicates she has \$10.00. Claimant owns a 1985 Chevy Celebrity Eurosport worth approximately \$150.00. Claimant does not have any dependents.

Accordingly, it is ORDERED that Claimant’s November 1, 2007 Application to Proceed in forma pauperis is GRANTED. The Clerk of the Court is directed to notify the United States Marshal Service who shall serve process pursuant to Federal Rule of Civil Procedure 4(c)(2).

Any recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$350.00 filing fee.

DATED: November 19, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE